

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated September 16, 2011. Reconsideration and allowance of the application in view of the amendments provided above and the remarks to follow are respectfully requested.

Claims 1, 4-16 and 18-24 are pending in the Application. Claims 1, 15 and 24 are independent claims. The claims are amended to clarify their recitations.

In the Office Action, claims 1, 4, 5, 12, 15, 16, and 18-24 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 3,101,537 to Kleinman ("Kleinman") in view of U.S. Patent No. 5,189,792 to Otsuka et al. ("Otsuka"). Claims 6, 7, 11 and 13-14 are rejected under 35 U.S.C. §103(a) over Kleinman in view of Otsuka and in view of U.S. Patent No. 6,430,813 to Muraguchi ("Muraguchi"). Claims 8-10 are rejected under 35 U.S.C. §103(a) over Kleinman in view of Otsuka in view of U.S. Patent No. 6,730,100 to Yamaguchi ("Yamaguchi"). The rejection of the claims is respectfully traversed. It is respectfully submitted that the claims are allowable over the presented prior art references for at least the following reasons.

The claims are amended to clarify their recitations. In particular, the limitation of "forming an interspace and at least one draining passage adjacent the housing" previously provided in claims 4 and 5 is included in the independent claims.

At page 2 the Office Action points to Figure 5 of Kleinman rendered at page 4 of the Office Action on which an "inner space" is indicated between the "cover" 99 and the motor 65. This, however, contradicts the claimed structure. That is because claim 1, for example, recites "a housing having first and second ends for carrying a drive structure at

the first end and for enclosing a motor coupled to the drive structure". Contrary to Figure 5 of Kleinman, the claims recite "a shell structure ... for enveloping the housing and forming an interspace and at least one draining passage adjacent the housing". The interspace and draining passage between the shell structure and the housing will prevent moisture from reaching the motor and accumulating inside the shaving apparatus (see, present application, page 5, lines 9-12).

Furthermore, as previously argued, Kleinman does not teach, disclose, or suggest "the housing includes at least one operating member and the shell structure includes at least one manipulating member operatively connected with said operating member", as for example recited in claim 8 from which claims 9 and 10 depend.

Otsuka discloses a main body 10 covered with outer side shells 14. However, no interspace and/or draining passages are disclosed. Further, the Examiner failed to identify the motivation for these skilled in the art to combine Kleinman and Otsuka. The Applicants, also point out that the main body 10 of Otsuka and the body portion 52 of Kleinman are the equivalent elements. What Kleinman is missing, are the side shells 14 of Otsuka. Accordingly, it is not a compelling position that those skilled in the art would be motivated to insert the main body 10 of Otsuka into the body portion 52 of Kleinman, although the skilled artisan may appreciate adding the outer side shells 14 of Otsuka on the outside of Kleinman.

Finally, it is respectfully submitted that the adding of drainage as recited in the claims is not a design choice. If, as the Examiner states, providing an opening or passage into the body of an apparatus as recited in the claims is well known, then, the Examiner is

respectfully requested to present a reference disclosing that point to provide the applicants a fair opportunity to examine the reference and respond accordingly. It is respectfully submitted that without such reference the Examiner has failed to prove that the claims are obvious.

It is respectfully submitted that the claims are not anticipated or made obvious by the teachings of the presented prior art references. For example, Kleinman and Otsuka do not teach, disclose or suggest, amongst other patentable elements, (illustrative emphasis provided) "a shell structure extending at least from the head holder to the power plug socket for enveloping the housing and forming an interspace and at least one draining passage adjacent the housing" as recited in claim 1 and as similarly recited in claims 15 and 24.

Muraguchi and Yamaguchi are presented for rejecting dependent claims and as such do not remedy the deficiencies of Kleinman and Otsuka.

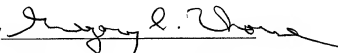
Based on the foregoing, the Applicants respectfully submit that the independent claims are patentable and notice to this effect is earnestly solicited. The dependent claims respectively depend from one of the independent claims and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented

remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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December 14, 2011

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